

1 Kathleen Sullivan (SBN 242261)
kathleensullivan@quinnmanuel.com
2 QUINN EMANUEL URQUHART &
SULLIVAN LLP
3 51 Madison Avenue, 22nd Floor
New York, NY 10010
4 Telephone: (212) 849-7000
Facsimile: (212) 849-7100

Steven Cherny (*admitted pro hac vice*)
steven.cherny@kirkland.com
KIRKLAND & ELLIS LLP
601 Lexington Avenue
New York, New York 10022
Telephone: (212) 446-4800
Facsimile: (212) 446-4900

6 Sean S. Pak (SBN 219032)
seanpak@quinnmanuel.com
7 John M. Neukom (SBN 275887)
johnneukom@quinnmanuel.com.
8 QUINN EMANUEL URQUHART &
SULLIVAN LLP
9 50 California Street, 22nd Floor
San Francisco, CA 94111
Telephone: (415) 875-6600
10 Facsimile: (415) 875-6700

Adam R. Alper (SBN 196834)
adam.alper@kirkland.com
KIRKLAND & ELLIS LLP
555 California Street
San Francisco, California 94101
Telephone: (415) 439-1400
Facsimile: (415) 439-1500

11 Mark Tung (SBN 245782)
12 marktung@quinnmanuel.com
13 QUINN EMANUEL URQUHART &
14 SULLIVAN LLP
15 555 Twin Dolphin Drive, 5th Floor
16 Redwood Shores, CA 94065
17 Telephone: (650) 801-5000
18 Facsimile: (650) 801-5100

Michael W. De Vries (SBN 211001)
michael.devries@kirkland.com
KIRKLAND & ELLIS LLP
333 South Hope Street
Los Angeles, California 90071
Telephone: (213) 680-8400
Facsimile: (213) 680-8500

Attorneys for Plaintiff Cisco Systems, Inc.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

20 | CISCO SYSTEMS, INC.,

CASE NO. 5:14-cv-5344-BLF

21 Plaintiff,

**CISCO'S RESPONSE TO
DEFENDANT ARISTA NETWORKS,
INC.'S OBJECTIONS (DKT. 235) TO
SUPPLEMENTAL INTRINSIC
EVIDENCE RE CLAIM
CONSTRUCTION
(DKT. 234) SUBMITTED BY
PLAINTIFF CISCO SYSTEMS, INC.**

22 | vs.

23 | ARISTA NETWORKS, INC.,

Defendant.

Claim Construction Hearing: April 8, 2016

1 Cisco provided notice that Cisco should be allowed to use Arista's Petitions for *Inter
2 Partes* Review and accompanying declarations in the *Markman* hearing to the extent that Arista is
3 allowed to use Cisco's Preliminary Patent Owner Responses from the same proceedings for the
4 same purpose (Dkt. 234), while maintaining its objections to Arista's submission of Cisco's
5 Responses after the deadline for the identification of claim construction evidence in this case. *See
6 Dkts. 51, 217.* In response, Arista objected that Cisco failed to provide citations to the IPR
7 materials in its notice. Dkt. 235.

8 Cisco disagrees that Patent Local Rule 4-2(b) requires Cisco to provide additional
9 specificity in this instance where the 4-2(b) deadline passed well before Arista's submission of
10 IPR materials, and where Cisco's supplementation only seeks consideration of materials from the
11 same IPR proceedings that Arista omitted from its submission in the event that Arista's
12 submission is considered over Cisco's objections. To avoid dispute, however, Cisco provides the
13 following citations to Arista's Petitions for *Inter Partes* Review and supporting materials:

Term	Evidence
“generic command” ('526 Patent)	Declaration of Douglas W. Clark, Ex. 1014, <i>Arista Networks, Inc. v. Cisco Technology, Inc.</i> , Case No. IPR2016-00119 ¶¶ 38, 50-51.
“the command parse tree having . . .” ('526 Patent)	Petition for <i>Inter Partes</i> Review, <i>Arista Networks, Inc. v. Cisco Technology, Inc.</i> , Case No. IPR2016-00119, at 14-15, 22.
“command line interface (CLI) parser” ('886 Patent)	Petition for <i>Inter Partes</i> Review, <i>Arista Networks, Inc. v. Cisco Technology, Inc.</i> , Case No. IPR2016-00244, at 15.

22 DATED: April 7, 2016

23 Respectfully submitted,

24 /s/ Mark Tung

25 Kathleen Sullivan (SBN 242261)
26 kathleensullivan@quinnmanuel.com
27 QUINN EMANUEL URQUHART &
28 SULLIVAN LLP
51 Madison Avenue, 22nd Floor
New York, NY 10010
Telephone: (212) 849-7000
Facsimile: (212) 849-7100

1 Sean S. Pak (SBN 219032)
 2 seanpak@quinnmanuel.com
 3 John M. Neukom (SBN 275887)
 4 johnneukom@quinnmanuel.com.
 5 Matthew D. Cannon (SBN 252666)
 6 matthewcannon@quinnmanuel.com
 7 Jason Liu (SBN 301104)
 8 jasonliu@quinnmanuel.com
 9 QUINN EMANUEL URQUHART &
 10 SULLIVAN LLP
 11 50 California Street, 22nd Floor
 12 San Francisco, CA 94111
 13 Telephone: (415) 875-6600
 14 Facsimile: (415) 875-6700

15 Mark Tung (SBN 245782)
 16 marktung@quinnmanuel.com
 17 QUINN EMANUEL URQUHART &
 18 SULLIVAN LLP
 19 555 Twin Dolphin Drive, 5th Floor
 20 Redwood Shores, CA 94065
 21 Telephone: (650) 801-5000
 22 Facsimile: (650) 801-5100

23 Kenneth K. Suh (SBN 283591, TX Bar No.
 24 24070701, IL Bar No. 6319520)
 kennethsuh@quinnmanuel.com
 25 Quinn Emanuel Urquhart & Sullivan, LLP
 26 500 W Madison Street #2450
 27 Chicago, IL 60661
 28 Telephone: (312) 705-7400
 Facsimile: (312) 705-7401

1 Steven Cherny (*admission pro hac vice*
 2 *pending*)
 3 steven.cherny@kirkland.com
 4 KIRKLAND & ELLIS LLP
 5 601 Lexington Avenue
 6 New York, New York 10022
 7 Telephone: (212) 446-4800
 8 Facsimile: (212) 446-4900

9 Adam R. Alper (SBN 196834)
 10 adam.alper@kirkland.com
 11 KIRKLAND & ELLIS LLP
 12 555 California Street
 13 San Francisco, California 94104
 14 Telephone: (415) 439-1400
 15 Facsimile: (415) 439-1500

16 Michael W. De Vries (SBN 211001)
 17 michael.devries@kirkland.com
 18 KIRKLAND & ELLIS LLP
 19 333 South Hope Street

1 Los Angeles, California 90071
2 Telephone: (213) 680-8400
3 Facsimile: (213) 680-8500

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Attorneys for Plaintiff Cisco Systems, Inc.